

Chairman Lowell Johnson called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Boyle, Lowell Johnson and Vap present, and Commissioners Rod Johnson and Landis excused.

GENERAL ADMINISTRATION

Notice was duly published June 6, 2006 on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held June 13, 2006 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

C-3559/ In the Matter of the Commission, on its own motion, seeking
DC-72 compliance on the 2005 Annual Report filings: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order to dismiss the complaint in part. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and Commissioners Rod Johnson and Frank Landis excused not voting.

Gene Hand reported on requests by Aventure Communications to interconnect with Eastern Nebraska Telephone Company, Great Plains Communications and Northeast Nebraska Telephone Company.

Gene Hand updated the Commission on the National Association of Regulatory Utility Commissioners (NARUC) Intercarrier Compensation Task Force and the Missoula Plan.

UNIVERSAL SERVICE FUND

NUSF-26 In the Matter of the Commission, on its own motion, seeking to establish guidelines for the purpose of certifying the use of federal universal service support. Commissioner Vap presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the Telehealth plan. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and Commissioners Rod Johnson and Frank Landis excused not voting.

NUSF-53/ In the Matter of Maurice Gene Hand, Director, Communi-
DC-71 ications Department and Jeffrey L. Pursley, Director, Nebraska Universal Service Fund Department, Complainants, vs. Qwest Corporation, Respondent. Commissioner Vap presiding as Hearing Officer: Jeff Pursley discussed the Protective Order issued by the Hearing Officer on June 7, 2006.

UNIVERSAL SERVICE FUND (Cont.)

Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to approve the Resolution recognizing Rod Wagner's service and contributions to the Nebraska Universal Service Fund (NUSF) Advisory Board. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and Commissioners Rod Johnson and Frank Landis excused not voting.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the Resolution recognizing Chuck Fast's service and contributions to the Nebraska Universal Service Fund (NUSF) Advisory Board. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and Commissioners Rod Johnson and Frank Landis excused not voting.

All people present in the Commission Hearing Room sang "Happy Birthday" to Chairman Lowell Johnson, who celebrated his 86th birthday on June 12, 2006.

Jeff Pursley informed the Commission that at the May 25th meeting of the Nebraska Universal Service Fund (NUSF) Advisory Board, discussion was held on the selection of a new member to represent the libraries: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the recommendation of John Dale, a retired Lincoln Public Library administrator, as representative of libraries on the Board. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and Commissioners Rod Johnson and Frank Landis excused not voting.

E911 DEPARTMENT

911-010.2 In the Matter of the Commission, on its own motion, seeking to establish a policy regarding required quarterly submissions from wireless carriers: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order approving the form for quarterly submissions from wireless carriers. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and Commissioners Rod Johnson and Frank Landis excused not voting.

911-019/ In the Matter of the Commission, on its own motion, seeking
PI-118 to implement provisions of LB 1222 [2006] and to establish a permanent funding mechanism for wireless enhanced 911 service: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order opening the docket. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and Commissioners Rod Johnson and Frank Landis excused not voting. Commissioner Boyle was appointed Hearing Officer.

E911 DEPARTMENT (Cont.)

PSAP-19.4 In the Matter of Kearney County, Minden, seeking funding for recurring and non-recurring costs of Wireless E911 implementation: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order approving the funding request. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and Commissioners Rod Johnson and Frank Landis excused not voting.

PSAP-044 In the Matter of Polk County, Osceola, seeking funding approval for recurring and non-recurring costs of Wireless E911 implementation: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order amending the funding. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and Commissioners Rod Johnson and Frank Landis excused not voting.

Joan Raffety informed the Commission of the Wireless E911 Advisory Board meeting scheduled for June 26, 2006, at 10:00 a.m. in the Commission Library, Lincoln with a video-link to City Hall, 1615 First Avenue, South Sioux City.

Joan Raffety informed the Commission that the Wireless E911 Fund will begin distributing a newsletter again as a means of communication with interested parties.

NATURAL GAS DEPARTMENT

NG-0037 In the Matter of NorthWestern Corporation, d/b/a North-Western Energy, Sioux Falls, South Dakota; Babcock & Brown Infrastructure Limited, BBI US Holdings Pty Ltd., Sydney NSW 2000, Australia; BBI US Holdings II Corp., and BBI Glacier Corp., San Francisco, California, seeking approval of the proposed change in control of NorthWestern Corporation: Motion was made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter a Protective Order and a Notice of Assessment Order. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and Commissioners Rod Johnson and Frank Landis excused not voting. Commissioner Vap was appointed Hearing Officer.

NG-0038 In the Matter of the Commission, on its own motion, seeking to consider requirements for implementation of LB 1249: Motion was made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order opening the docket and scheduling a workshop for June 29, 2006, at 10:00 a.m. in the Commission Library, Lincoln. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and Commissioners Rod Johnson and Frank Landis excused not voting. Commissioner Landis was appointed Hearing Officer.

RULES AND REGULATIONS

Rule and In the Matter of the Commission, on its own motion, seeking Regulation to amend Title 291, Chapter 9, Natural Gas and Pipeline #157A Rules and Regulations, to adopt rules in accordance with Nebraska Legislative Bill 790 [2003]. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter a Certificate of Adoption for the sixth set of proposed rules. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and Commissioners Rod Johnson and Frank Landis excused not voting.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

Mark Luttich informed the Commission of the following:

The Commission has added Garden City, Kansas to the list of local jurisdictions that will accept our modular housing unit inspections;

The department has approved two (2) more modular housing unit manufacturers to market their homes in Nebraska; one from Indiana, the other from New Hampshire;

Briefly explained the Magnolia/Musil modular housing unit complaint;

Discussed renewal of agreements with Ted Burkey and the positive nature and savings to the department;

Revision of the May 30th Housing Urban Development (HUD) manufactured home standards. Some of the updates caused problems for factories outside of Nebraska, but none in Nebraska; and,

A new International Residential Code(IRC) edition is available so will be moving ahead with the modular housing regulations adoption of this new code.

PUBLIC COMMENT

Commissioner Lowell Johnson invited public comment. There was none.

TRANSPORTATION DEPARTMENT

B-1685 In the Matter of James E. and Rhonda Joneson, d/b/a Leisure Limousine and Sedan Service, Lincoln, seeking to acquire, through transfer, the certificate held by A & R Klassic Kars Limousine Service, LLC in Certificate B-1599. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to continue the hearing previously scheduled for June 8, 2006, to June 22, 2006, at 10:00 a.m. in the Commission Library, Lincoln. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and Commissioners Rod Johnson and Frank Landis excused not voting.

Rate Division

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Household Goods Tariff 7-F: The fuel surcharge was increased to 74 cents per mile.

GRAIN WAREHOUSE DEPARTMENT

GW-378 In the Matter of Battle Creek Farmers Cooperative, Non-Stock, Battle Creek, seeking to buy the grain represented on lost receipts B684416, B684417, B684418, and B684419, issued to Don Flood, Crofton: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to grant the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and Commissioners Rod Johnson and Frank Landis excused not voting.

GW-1599 In the Matter of Alvo Grain and Feed, Inc., Alvo: John Fecht discussed the shortage of corn and soybeans.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the following Commission invoices. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and Commissioners Rod Johnson and Frank Landis excused not voting.

Thomson West	\$	573.92
United States Post Office		868.00
Voyager		1,585.25
Anne Boyle		374.11

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve Commission minutes for the month of May 2006. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and Commissioners Rod Johnson and Frank Landis excused not voting.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to approve renewal of the Recreational Plan Review and Recreational Vehicle Factory Inspection Contracts with Ted Burkey. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and Commissioners Rod Johnson and Frank Landis excused not voting.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to approve renewal of the Public Relations Contract with Larry Fauss. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and Commissioners Rod Johnson and Frank Landis excused not voting.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the purchase of 2000 Manufactured Housing seals at a cost of \$1,958.32. Motion passed with Commissioners Anne Boyle, Lowell Johnson and Jerry Vap voting AYE, and Commissioners Rod Johnson and Frank Landis excused not voting.

Upon agreement of all Commissioners present, authorization was granted for Commissioner Anne Boyle to attend the Regulators' AdvancedComm Summit 2006 to be held in New York City, New York from August 30-September 1, 2006.

Upon agreement of all Commissioners present, authorization was granted for Commissioner Anne Boyle to attend the Midwest Energy Association (MEA) Legal and Regulatory Affairs Roundtable to be held in Breckenridge, Colorado from September 6-8, 2006, with lodging to be paid by MEA and the registration fee waived.

The meeting adjourned at 10:35 a.m. with Commissioners Boyle, Lowell Johnson and Vap present, and Commissioners Rod Johnson and Landis excused. The next regularly scheduled meeting will be held on June 27, 2006, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on June 26, 2006.

Chairman

Executive Director